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**IN THE UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

In re: CATHODE RAY TUBE (CRT) ANTITRUST ) Case No. 07-5944 SC  
LITIGATION )  
MDL No. 1917

This Document Relates to:

INDIRECT-PURCHASER ACTIONS

**DECLARATION OF EVA W. COLE IN  
SUPPORT OF THE PANASONIC  
DEFENDANTS' ADMINISTRATIVE  
MOTION TO SEAL DOCUMENTS  
PURSUANT TO CIVIL LOCAL RULES  
7-11 AND 79-5(d)**

1 I, Eva W. Cole, declare as follows:

2 1. I am an attorney with Winston & Strawn LLP, attorneys for Defendants  
 3 Panasonic Corporation of North America, MT Picture Display Co., Ltd., and Panasonic Corporation  
 4 (f/k/a Matsushita Electric Industrial Co., Ltd.) (collectively, the “Panasonic Defendants”) in these  
 5 actions. I am a member of the bar of the State of New York and I am admitted to practice before this  
 6 Court *pro hac vice*. I make this declaration pursuant to Civil Local Rule 79-5(d) to establish that the  
 7 Errata to the Declaration of Robert D. Willig (“Errata”), submitted to the Court in connection with  
 8 Defendants’ Opposition to Indirect-Purchaser Plaintiffs’ Motion for Class Certification, contains  
 9 Confidential and Highly Confidential information and is sealable. Except for those matters stated on  
 10 information and belief, about which I am informed and which I believe to be true, I have personal  
 11 knowledge of the facts stated herein and, if called as a witness, I could and would competently  
 12 testify thereto.

14 2. On June 18, 2008, the Court approved a “Stipulated Protective Order” in this  
 15 matter (Dkt. No. 306).

17 3. On December 17, 2012, Defendants filed a joint administrative motion seeking  
 18 leave to file under seal portions of their Opposition to Indirect-Purchaser Plaintiffs’ Motion for Class  
 19 Certification and supporting documents including the Declaration of Robert D. Willig (“Willig  
 20 Declaration”) (Dkt. No. 1489). Defendants’ joint motion to seal was supported with declarations  
 21 from counsel for seven defendant groups.<sup>1</sup> On December 27, 2012, the Court granted Defendants’  
 22 joint motion to seal. Order Re Administrative Motions to File Under Seal (Dkt. No. 1523).

24  
 25 <sup>1</sup> Declaration of Eva W. Cole in Support of Administrative Motion to File Under Seal (Dkt. No.  
 26 1489-1); Declaration of Michelle Park Chiu in Support of Administrative Motion to File Under Seal  
 27 (Dkt. No. 1491); Declaration of Hojoon Hwang in Support of Administrative Motion to File Under  
 28 Seal (Dkt. No. 1494); Declaration of Tyler Cunningham in Support of Administrative Motion to File  
 Under Seal (Dkt. No. 1495); the Declaration of Courtney Byrd in Support of Administrative Motion  
 to File Under Seal (Dkt. No. 1489-1); the Declaration of Lucius B. Lau in Support of Administrative

1           4.       On January 18, 2013, the Panasonic Defendants filed an Administrative Motion  
2 to Seal, and lodged conditionally under seal, portions of the following document, pursuant to Civil Local  
3 Rules 7-11 and 79-5(d):

- 4           •       Errata to the Declaration of Robert D. Willig in Support of the Opposition Brief  
5                   ("Errata") that contains information from documents that Defendants have  
6                   designated "Confidential" or "Highly Confidential."

7           5.       Pursuant to Civil Local Rule 79-5(d), I make this declaration on behalf of the  
8 Panasonic Defendants to provide the basis for the Court to maintain under seal certain documents  
9 and information designated by defendants as "Confidential" or "Highly Confidential" pursuant to the  
10 Stipulated Protective Order, and all references to those documents and information in the Errata.  
11

12           6.       Upon information and belief, the Errata consists of, cites to, and/or identifies  
13 confidential, nonpublic, proprietary and highly sensitive business information. The Errata contains,  
14 cites to, and/or identifies confidential information about defendants' sales processes, business  
15 practices, internal practices, negotiating tactics, confidential business and supply agreements and  
16 competitive positions. The Errata describes relationships with companies that remain important to  
17 the defendants' competitive position. I am informed and believe that this is sensitive information  
18 and public disclosure of this information presents a risk of undermining the defendants' business  
19 relationships, would cause it harm with respect to its competitors and customers, and would put the  
20 Panasonic Defendants at a competitive disadvantage.  
21

22           7.       The Errata quotes from or describes documents or information designated as  
23 "Confidential" or "Highly Confidential" by the defendants pursuant to the Stipulated Protective  
24 Order. As with the original Willig Declaration filed on December 17, 2012, I understand that the  
25 defendants consider any statements in the Errata purporting to summarize the exhibits or any other  
26

27 Motion to File Under Seal (Dkt. No. 1490); Declaration of Charles Malaise in Support of  
28 Administrative Motion to File Under Seal (Dkt. No. 1493).

documents or information designated “Confidential” or “Highly Confidential” by the defendants confidential and proprietary. I am informed and believe that the defendants have taken reasonable steps to preserve the confidentiality of information of the type contained, identified, or cited to in the Errata.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: January 18, 2013

By: /s/ Eva W. Cole  
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